

Labor inspections and alternatives from a labor perspective for confronting the health emergency generated by the SARS-CoV2 (COVID-19) virus

As we informed you in a timely manner, on April 21, 2020, the Ruling modifying the extraordinary actions for addressing the health emergency generated by the SARS-CoV2 (COVID-19) virus published on March 31, 2020, was published in the Official Federal Gazette, which included the extension of the suspension ruling until May 30, 2020.

In this regard, in order to verify compliance with the suspension rulings and other measures that have been declared, the Labor and Social Welfare Ministry, through the Federal Labor Inspection Office, will continue carrying out extraordinary inspections in workplaces for the purpose of: *(i)* monitoring compliance with the provisions issued by the Health Ministry, primarily with respect to the suspension of non-essential activities, and *(ii)* monitoring compliance with the workers' right to keep their full wages.

Finally, since the authorities have declared that the Rulings issued (*and the measures in them*) do not constitute the "declaration of a health contingency" that would permit the automatic suspension of the labor relationship and consequently the indemnity payment of the general minimum wage in force for the employees for up to one month, below we list some alternatives for confronting the extraordinary measures we are faced with:

- a. Implement working from home (*home office*).
- b. Execute agreement modifying employment conditions (reduction of salary and/or work hours).
- c. Determine the periods for taking vacation and consider advancing vacation from future periods.
- d. Unpaid leave.
- e. Collective suspension of employment.

For adopting these measures, the current situation of each company should be analyzed to determine which measure best meets its needs. We would be glad to help in their implementation and to provide advice in case of an inspection.

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Mexico City, April 24, 2020.

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